



Paper No. 15

FREDRIKSON & BYRON, P.A.
1100 INTERNATIONAL CENTRE
900 SECOND AVENUE SOUTH
MINNEAPOLIS, MN 55402-3397

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In re Application of
Kroll et al.
Application No. 09/693,551
Filed: October 20, 2000
Attorney Docket No. 43169.62.1

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on July 29, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned on June 23, 2002 for failure to respond to a May 22, 2002 advisory action letter which gave Applicants 1 month to submit a responsive reply to the August 2, 2001 non-final Office Action.¹

The instant petition contains a "Response" in reply to the August 2, 2001 non-final Office Action, the \$640 petition fee (small entity), and a statement that the entire delay in filing the reply from its due date until the filing of the instant petition was unintentional. The petition is thus granted.

In addition, the petition utilizes an address different from that in the Office record. While a courtesy copy of this decision is being mailed to that address, all future correspondence for this application will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

This application is being returned to Technology Center 3700 for examination of the Response submitted with the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Fredrickson & Byron, P.A.
4000 Pillsbury Center
200 South Sixth Street
Minneapolis, MN 55402

¹ 6/22/02 is a Saturday. Under 37 CFR 1.7(a), submission of a proper reply on or before the next business day, 6/24/02, would have been considered timely. However, failure to do so on or before that date renders the application abandoned as of 6/23/02. See 37 CFR 1.135 & MPEP 711.04(a) (Aug. 2001): "[T]he date of abandonment is after midnight of the date on which the set shortened statutory period, including any [obtained] extensions under 37 CFR 1.136, expired."